

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, *et al.*,

*Plaintiffs,*

v.

JETBLUE AIRWAYS CORPORATION and  
SPIRIT AIRLINES, INC.,

*Defendants.*

Civil Action No. 1:23-cv-10511-WGY

**DECLARATION OF EDWARD W. DUFFY IN SUPPORT OF PLAINTIFFS' MOTION  
IN LIMINE TO EXCLUDE TESTIMONY FROM MR. RICHARD SCHEFF**

I, Edward W. Duffy, pursuant to 28 U.S.C. 1746, hereby declares as follows:

1. I am an attorney with the Antitrust Division of the United States Department of Justice, and counsel of record for the United States in this case. I have personal knowledge of the matters recited herein, and if called upon to testify, I could and would testify competently thereto.

2. Attached as Exhibit A is a true and correct copy of the Second Amended Expert Report of Richard Scheff. Exhibit A is currently filed under seal subject to the Court's Order on the Parties' Joint Motion to Impound.

3. Attached as Exhibit B is a true and correct copy of excerpts of the transcript of the September 6, 2023 deposition of Richard Scheff.

4. Attached as Exhibit C is a true and correct copy of Exhibit 7 from the September 6, 2023 deposition of Richard Scheff.

I declare under penalty of perjury the foregoing is true and correct.

Executed on September 11, 2023 in Annapolis, Maryland.

/s/ Edward W. Duffy  
Edward W. Duffy